



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

February 24, 2009

Michael A. Stadler, Principal
Burke Street LLC
12128 Burke Street
Santa Fe Springs, CA 90670

RE: General Notice Letter and Request for Information
Omega Chemical Corporation Superfund Site

Dear Mr. Stadler :

The purpose of this letter is to provide you notice of Burke Street LLC's potential liability under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), as amended, at the Omega Chemical Corporation Superfund Site (the "Site"), in Whittier, California. The Site includes the location of a former refrigerant/solvent recycling operation ("Omega Chemical") located at 12504 and 12512 Whittier Boulevard in Whittier, California, but the term "Site" (as used here) refers to both the former Omega Chemical property and the areal extent (i.e., plume) of contaminated groundwater emanating from that property.

The United States Environmental Protection Agency ("EPA") is spending public funds to investigate and control releases or potential releases of hazardous substances, pollutants or contaminants at the Site. Under Sections 106(a) and 107(a) of CERCLA, commonly known as Superfund, potentially responsible parties ("PRPs") may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for all costs incurred by EPA in responding to any release or threatened release at the Site. PRPs include current and former owners and operators of facilities at which hazardous substances were released into the environment, persons who arranged for the disposal of hazardous substances at a facility ("generators"), and persons who accepted hazardous substances for transport to a facility ("transporters").

EPA has evaluated information obtained through its investigation of the Site and has determined that the property at 12128 Burke Street, Santa Fe Springs, California (part of the property formerly known as 12140 Slauson Avenue, Santa Fe Springs, California) is located above the contaminated groundwater plume that originates at, and extends more than four miles downgradient of, the Omega Chemical property. The Agency believes that the facility located at 12128 Burke Street, Santa Fe Springs, California is a source of hazardous substances that have come to be located in this groundwater plume and commingled with hazardous substances originating from the Omega Chemical property. As such, your company is a PRP at the Site based on your company's status as the current owner of the property located at 12128 Burke Street, Santa Fe Springs, California.

Omega Site Background

During an assessment of the Site in 1995, EPA observed approximately 3,000 drums at the Site in various stages of deterioration. Data gathered indicated the presence of hazardous substances in the subsurface soils and groundwater at the Site, including, but not limited to, methylene chloride, tetrachloroethylene, trichloroethylene, and Freon 11 and 113. On May 3, 1995, EPA issued an Action Memorandum authorizing actions necessary to abate imminent and substantial endangerment at the Site, including securing the Omega Chemical property, conducting sampling, removing grossly contaminated equipment, structures, and debris, removing containerized wastes and disposing, stabilizing and treating grossly contaminated soils.

On May 9, 1995 and August 31, 1995, EPA issued Unilateral Administrative Orders (“UAOs”) to approximately 170 major generator PRPs, all of whom sent greater than 10 tons of hazardous materials to the Site, to perform removal activities at the Site. These major contributing parties thereafter formed a workgroup called the Omega Chemical Site PRP Organized Group, or “OPOG”, and completed removal activities as required. In September 1998, EPA proposed the Site for listing on the National Priorities List (“NPL”). The Site was placed on the NPL on January 19, 1999.

In order to facilitate cleanup of hazardous substances at the Site, EPA has divided the Site into three operable units (OUs): OU-1, OU-2 and OU-3. OU-1 includes the former Omega facility and immediate vicinity (also known as the “Phase 1A area” as described below). OU-2 is the extent of contamination in groundwater that originated from the former Omega facility and now extends more than four miles downgradient of OU-1. OU-2 includes contamination in groundwater that has commingled with chemicals released at other source areas. OU-3 refers to vapor intrusion from the Omega Site that occurred in several buildings on and near the former Omega property. The investigation and cleanup of OU-1 is being led by OPOG. The investigation and cleanup of OU-2 is being led by EPA.

Currently, the members of OPOG (the “Settling Defendants”) are performing work under a Consent Decree which was entered by the United States District Court, Central District of California, on February 28, 2001, and amended thereafter. Under this agreement and amendments thereto, the Settling Defendants agreed to pay a portion of past costs and perform the following work at the Site:

- 1) implementation of a Remedial Investigation / Feasibility Study (“RI/FS”) for contamination in the vadose zone within the “Phase 1A area” (as described in the Consent Decree) of the Site;
- 2) performance of an Engineering Evaluation and Cost Analysis (“EE/CA”) addressing groundwater contamination in the Phase 1A area;

- 3) implementation of the response action selected in EPA's Action Memorandum at the conclusion of the EE/CA;
- 4) performance of a risk assessment addressing contamination within the Phase 1A area; and
- 5) installation of groundwater monitoring wells at locations downgradient of the Phase 1A area and upgradient of the City of Santa Fe Springs water supply well 30R3.

In addition, EPA has been conducting an EPA-lead groundwater RI downgradient of the Phase 1A area. An FS for a Site-wide groundwater remedy will follow the groundwater RI, and it will take into account the PRP-lead groundwater response action described above. At the conclusion of the FS, a Site-wide groundwater remedy will be proposed and, after public comment, selected by EPA in a Record of Decision ("ROD").

In August 2002, EPA issued General Notice Letters to approximately 100 additional major generator PRPs, all of whom sent 10 tons or greater of hazardous materials to the former Omega Chemical facility. EPA has encouraged these PRPs to initiate dialogue with OPOG concerning joining the established workgroup. The existing Consent Decree was amended to include parties that have joined the established group since 2001.

Prior to signing the Consent Decree, several OPOG members withdrew from the group and elected not to sign the settlement. They formed a new group that later became known as the Omega Small Volume Organized Group, or "OSVOG." On January 5, 2004, EPA issued a UAO to fifteen OSVOG members and three other recalcitrant parties. An Amended UAO was issued on July 2, 2004. The work required under the Amended UAO included the installation of groundwater wells and sampling downgradient from the former Omega Chemical property.

On October 28, 2003, EPA sent liability notice letters to approximately 300 *de minimis* parties that had sent 3 to 9.9 tons of hazardous materials to the Site. Approximately 170 *de minimis* parties accepted EPA's settlement offer. The Administrative Order on Consent to resolve these parties' potential liability at the Site was finalized on December 12, 2005.

In 2006, EPA settled with 12 "ability-to-pay" ("ATP") parties, which are parties that were deemed to have limited ability to pay for response costs incurred and to be incurred at the Site, pursuant to Section 122(h) of CERCLA, 42 U.S.C. § 9622(h).

Also in 2006, EPA required OPOG to perform a removal action to address contaminated indoor air in an indoor roller skating rink (Skateland), which was located on Whittier Boulevard, adjacent to the former Omega Chemical property. This action was memorialized in an amendment to the Consent Decree. OPOG subsequently purchased Skateland and demolished it in April 2007.

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In November 2007, with EPA oversight, OPOG completed an RI for OU-1 soils. OPOG completed the OU-1 FS in May 2008. In June 2008, EPA released for public comment a Proposed Plan for soil cleanup at OU-1. EPA issued the OU-1 ROD on September 30, 2008.

OPOG's construction of an interim groundwater treatment system to contain the existing contaminated groundwater within OU-1 is underway.

Currently, EPA is near completion of the OU-2 RI, relating to groundwater contamination at OU-2.

General Notice

EPA is not extending a settlement offer or issuing an order for the performance of work to you at this time. The Agency anticipates issuing a ROD to select a groundwater cleanup remedy within the next two years. At that point, EPA will initiate settlement discussions with you and other PRPs at the Site for the performance of the Remedial Design/Remedial Action ("RD/RA") for the groundwater remedy.

EPA encourages good faith negotiations between the PRPs and EPA, as well as among the PRPs. A complete list of recipients to whom EPA has sent similar General Notice Letters is attached as Attachment A. In addition, OPOG's contact names and numbers are:

Keith F. Millhouse, Esq.
(805) 230-2280

Larry G. Gutteridge, Esq.
(213) 430-2507

Gene A. Lucero, Esq.
(213) 891-8332

Enclosed are the two most recent Fact Sheets about the Site. Additional Fact Sheets and further information about the Site can be found on the following EPA web page:

<http://www.epa.gov/region09/omegachemical>

In addition, copies of site-related documents are located at EPA's Regional Office in San Francisco and at the information repository listed below:

Superfund Records Center
95 Hawthorne Street (4th Floor)
San Francisco, CA 94105
Ph: (415) 536-2000

Mr. Michael A. Stadler
February 24, 2009

Whittier Public Library
7344 S. Washington Avenue
Whittier, CA 90602
Ph: (562) 464-3450

Also enclosed is an information sheet intended to inform small businesses of their rights under the Small Business Regulatory Enforcement Fairness Act ("SBREFA") to comment to an Ombudsman about EPA enforcement activity. This information sheet also provides information on compliance assistance available to small businesses. We have included this information sheet without making a determination as to whether your business is a small business as defined by Section 222 of SBREFA or related provisions.

Please use the enclosed Primary Contact Designation Form to designate the most appropriate individual to receive all further correspondence on this matter on your behalf. We request that you mail us the completed form within thirty (30) days of your receipt of this letter.

We will continue to send future correspondence to you until we receive this form. The completed Primary Contact Designation Form should be mailed to:

Linda Ketellapper, SFD-7-5
U.S. Environmental Protection Agency
Superfund Division
75 Hawthorne Street
San Francisco, CA 94105

This notice letter does not affect or nullify any other legal obligations you may have regarding your facility. If you are engaged in cleanup or other activities under the direction of federal, state or local authorities, you should continue such activities as appropriate. Likewise, this notice letter has no effect on any obligations which you may have in a court of law.

Although this letter does not affect these other obligations, EPA hereby requests, by its authority under CERCLA Section 104(e), that you provide a written response reporting the status of all of those activities and obligations. The response should include a copy of all agreements and/or orders between you and other parties related to your facility and ongoing activities and obligations. **Your response should be made in writing and submitted to EPA within thirty (30) days of receipt of this letter. It should be directed to Linda Ketellapper, the EPA Case Developer, at the address provided above.**

Mr. Michael A. Stadler

February 24, 2009

If you have general questions regarding the Site, please contact Linda Ketellapper at (415) 972-3104. If you have any technical questions regarding the Site, please contact Lynda Deschambault, the Remedial Project Manager, at (415) 947-4183. If you have any legal questions, you may contact Steve Berninger, Assistant Regional Counsel, at (415) 972-3909.

Sincerely,



Kathleen Salyer
Assistant Director, Superfund Division
California Site Cleanup Branch

cc: Karl Fingerhood, DOJ EES
Steve Berninger, EPA ORC
Fred Schauffler, EPA
Lynda Deschambault, EPA
Linda Ketellapper, EPA
Arthur Heath, RWQCB
Keith F. Millhouse, OPOG
Larry G. Gutteridge, OPOG
Gene A. Lucero, OPOG

Attachments:

Attachment A: List of Recipients

Enclosures:

- U.S. EPA Fact Sheet: "Update on Site Activities", February 2008
- U.S. EPA Fact Sheet: "Proposed Plan for Soil Cleanup", June 2008
- Information Sheet, U.S. EPA Small Business Resources
- Primary Contact Designation Form. Please complete and return this form **within 30 days** of your receipt of this letter.

Attachment A

**Omega Chemical Corporation Superfund Site
List of Downgradient General Notice Letter Recipients**

<u>Date Noticed</u>	<u>Liable Party Name</u>	<u>Title</u>	<u>First Name</u>	<u>Last Name</u>	<u>Address</u>	<u>Supp Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>PRP Status</u>	<u>Associated Facility/Property Address</u>
3/1/2007	McKesson Corporation	President	John	Hammergren	One Post Street		San Francisco	CA	94104	Former operator and current owner	9005 Sorensen Avenue Santa Fe Springs, CA 90670
3/1/2007	Estate of Paul Maslin	Executrix of the Estate of Paul Maslin	Lucille	Maslin	*	*	*	*	*	Former owner	9005 Sorensen Avenue Santa Fe Springs, CA 90670
3/1/2007	Harvey Sorkin		Harvey	Sorkin	*		*	*	*	Former owner	9005 Sorensen Avenue Santa Fe Springs, CA 90670
3/1/2007	Seymour Moslin		Seymour	Moslin	*		*	*	*	Former owner	9005 Sorensen Avenue Santa Fe Springs, CA 90670
8/9/2007	Angeles Chemical Co., Inc.	President	John	Locke	20449 E. Rancho Los Cerrios Road		Covina	CA	91724	Former owner and operator	8915 Sorensen Avenue Santa Fe Springs, CA 90670
8/9/2007	Greve Financial Services, Inc.	President	Joseph	Kennedy	30679 Palos Verdes Dr. East		Rancho Palos Verdes	CA	90725-6353	Current owner	8915 Sorensen Avenue Santa Fe Springs, CA 90670
8/9/2007	Pearl Rosenthal		Pearl	Rosenthal	*		*	*	*	Former owner	8915 Sorensen Avenue Santa Fe Springs, CA 90670
8/9/2007	The Rosenthal Family Trust Dated June 3, 1989	Trustee	Pearl	Rosenthal	c/o The Law Offices of Timothy Cronin, Esq.	202 Fashion Lane Suite 208	Tustin	CA	92780	Former owner	8915 Sorensen Avenue Santa Fe Springs, CA 90670
8/9/2007	John G. Locke & Janyce B. Locke		John Janyce	Locke Locke	*		*	*	*	Former owner	8915 Sorensen Avenue Santa Fe Springs, CA 90670
8/9/2007	Robert O. Berg & Donna M. Berg		Robert Donna	Berg Berg	c/o The Law Offices of Timothy Cronin, Esq.	202 Fashion Lane Suite 208	Tustin	CA	92780	Former owner	8915 Sorensen Avenue Santa Fe Springs, CA 90670
11/7/2007	Phibro-Tech, Inc.	President	W. Dwight	Glover	65 Challenger Road		Ridgefield	NJ	07660	Current operator	8851 Dice Road Santa Fe Springs, CA 90670
11/7/2007	C.P. Chemicals, Inc.	President	Jack	Bendheim	65 Challenger Road		Ridgefield	NJ	07660	Corporate successor to former operator	8851 Dice Road Santa Fe Springs, CA 90670
11/7/2007	First Dice Road Company, a California Limited Partnership	President (Western Magnesium Corp., General	Jack	Bendheim	65 Challenger Road		Ridgefield	NJ	07660	Current owner	8851 Dice Road Santa Fe Springs, CA 90670

* Home addresses are not provided.

Attachment A

**Omega Chemical Corporation Superfund Site
List of Downgradient General Notice Letter Recipients**

<u>Date Noticed</u>	<u>Liabe Party Name</u>	<u>Title</u>	<u>First Name</u>	<u>Last Name</u>	<u>Address</u>	<u>Supp Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>PRP Status</u>	<u>Associated Facility/Property Address</u>
		Partner)									
11/7/2007	Foss Plating Company, Inc.	President	Victor	Foss	8140 Secura Way		Santa Fe Springs	CA	90670	Current owner and operator	8140 Secura Way Santa Fe Springs, CA 90670
12/18/2007	Bodycote Thermal Processing, Inc.	President	Martyn	Wilton	155 River Street		Andover	MA	01810	Current owner and operator and corporate successor to a former operator	11845 Burke Street Santa Fe Springs, CA 90670
12/18/2007	Pilot Chemical Corp.	President	Paul	Morrisroe	11756 Burke Street		Santa Fe Springs	CA	90670	Current owner and operator	11756 Burke Street Santa Fe Springs, CA 90670
12/18/2007	Earl Mfg. Co., Inc.		Claudette	Earl	*		*	*	*	Former operator	11862 Burke Street Santa Fe Springs, CA 90670
12/18/2007	Claudette A. Earl		Claudette	Earl	*		*	*	*	Current owner	11862 Burke Street Santa Fe Springs, CA 90670
12/18/2007	Earl Family Trust Dated January 6, 1973	Trustee	Dot	Earl	*		*	*	*	Former owner	11862 Burke Street Santa Fe Springs, CA 90670
12/18/2007	Union Pacific Railroad Company	Chief Executive Officer and President	James	Young	1400 Douglas Street		Omaha	NE	68179	Former owner	8851 Dice Road Santa Fe Springs, CA 90670

* Home addresses are not provided.



Omega Chemical Superfund Site

U.S. Environmental Protection Agency • Region 9 • San Francisco, CA • February 2008

UPDATE ON SITE ACTIVITIES

Both the United States Environmental Protection Agency (EPA) and a group of potentially responsible parties (PRPs) working under EPA's oversight have made substantial progress on the investigations of groundwater and soil contamination at the Omega Chemical Superfund Site in Whittier, CA (Figure 1). This fact sheet discusses the ongoing investigations and clean up at the different operable units of the Omega site.

Remedial Investigation Update

In October 2007, the PRP group known as the Omega Chemical Site PRP Organized Group (OPOG) completed the **Remedial Investigation (RI)** and **Human Health Risk Assessment (HHRA)** for soils in Operable Unit 1 (OU-1) of the Omega site. The RI report describes the nature and extent of soil contamination in the OU-1 area, which includes the former Omega property and immediate vicinity. The HHRA report in turn evaluates potential current and future risks to human health posed by the contamination.

OPOG used the results of the OU-1 RI and HHRA reports to prepare the draft Feasibility Study (FS) report in December 2007. The FS, which evaluates possible soil cleanup alternatives, is currently being reviewed by EPA and the State. The FS will serve as the basis for EPA's identification of a preferred cleanup alternative for OU-1 soils. The preferred alternative will be described in greater detail in a Proposed Plan, which EPA expects to issue later this year for public comment. As part of the comment process, EPA will host a public meeting (currently scheduled for summer 2008) to solicit comments on the proposed clean-up plan.

EPA is also conducting a RI for the area of groundwater contamination (referred to as OU-2) that extends four miles to the southwest of the Omega property. EPA expects to complete the RI for this part of the site during first half of 2008. The results of the OU-2 RI will be summarized in a future fact sheet.

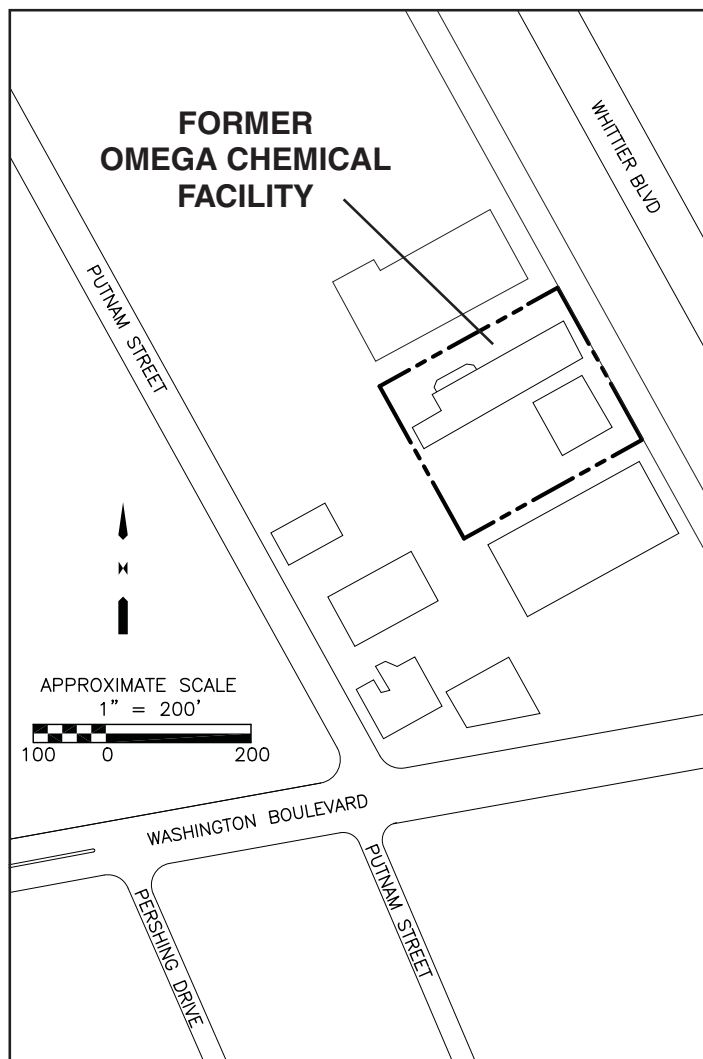


Figure 1: Location of former Omega Chemical facility



Figure 2: Groundwater Extraction Well Locations

Interim Groundwater Pump and Treat System

In September 2005, EPA selected an interim groundwater remedy for the OU-1 area that will use a groundwater extraction and treatment system to prevent highly contaminated groundwater in the OU-1 area from migrating into OU-2 (See Figure 2). In September 2006, OPOG installed a series of groundwater extraction wells along Putnam Street, and construction of the treatment system began in January 2008. Startup of the extraction wells and treatment plant is scheduled for late 2008.

Indoor Air Investigation

Indoor air sampling was initially conducted at five buildings on and near the former Omega property in May 2004. Sampling results revealed that volatile organic compounds (VOCs), which are primary

For Additional Information, Please Contact:

Lauren Berkman
Community Involvement Coordinator
U.S. EPA Region 9 (SFD-3)
75 Hawthorne Street
San Francisco, CA 94105
Direct Line (415) 972-3292

Christopher Lichens
Remedial Project Manager
U.S. EPA Region 9 (SFD-7-4)
75 Hawthorne Street
San Francisco, CA 94105
Direct Line (415) 972-3149



You may also call the toll-free message line at 800-231-3075. Your call will be returned.

contaminants at the Omega site, have migrated from contaminated soil and groundwater and accumulated in these buildings. The indoor VOC levels were highest in Skateland, adjacent to the former Omega property. In April 2006, EPA directed OPOG to undertake an indoor air cleanup action at Skateland. However, in September 2006, OPOG purchased the Skateland property and in 2007 demolished the building, eliminating the need for the proposed indoor air cleanup action.

In 2008, additional sampling will be conducted in a second building on one of the original properties. EPA will evaluate the results of all indoor air sampling to determine whether cleanup measures are needed at any of the buildings on these properties.

Technical Assistance Program

A Technical Assistance Grant (TAG) is available for citizens who live near the Omega site. The grant helps qualified citizen groups affected by a Superfund site to hire an independent technical advisor to help interpret and comment on site-related information. An initial grant of up to \$50,000 is available. For further information about the grant, please call us and request an application (toll-free 800-231-3075) or get it from the TAG web page by typing "TAG" in the search box at www.epa.gov and pressing "GO."

Glossary Terms

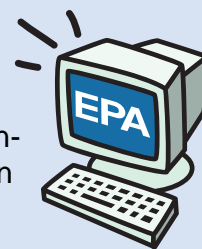
Remedial Investigation (RI): An in-depth study to determine the nature and extent of contamination at a Superfund site; assess risks to human health and the environment; and conduct treatability testing as necessary to evaluate potential treatment technologies. The remedial investigation often overlaps with preparation of the feasibility study. Together they are usually referred to as the "RI/FS".

Human Health Risk Assessment (HHRA): Qualitative and quantitative evaluation of the risk posed to human health by the specific pollutants found at the site.

Information Repository: A location accessible to community members (such as a local library) that houses documents, reports and other site-related information, general information about Superfund, newspaper notices and the Administrative Record for the site. EPA also maintains an information repository for all Superfund sites at its offices in San Francisco.

Site Information Repository

The EPA maintains site information repositories at the Whittier Public Library and at the EPA Superfund Records Center in San Francisco. These repositories contain project documents, fact sheets, and reference materials. The EPA encourages you to review these documents to gain a more complete understanding of the site. The information repositories' locations are listed below. The EPA also has a site information web page for Omega Chemical at www.epa.gov/region09/OmegaChemical.



EPA Superfund Records Center
95 Hawthorne Street
San Francisco, CA 94105
(415) 536-2000



Whittier Public Library
7344 S. Washington Avenue
Whittier, CA 90602
(562) 464-3450

Update on Site Activities at Omega Chemical Superfund Site

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United States Environmental Protection Agency
Region 9
75 Hawthorne Street (SFD-3)
San Francisco, CA 94105
Attn: Lauren Berkman (Omega 2/08)

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Omega Chemical Superfund Site

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Proposed Plan for Soil Cleanup

The United States Environmental Protection Agency (EPA) and a group of potentially responsible parties (PRPs) have been conducting an investigation of the **groundwater*** and soil contamination at the Omega Chemical **Superfund** Site in Whittier, CA. At this time the EPA is requesting public comments on the **Proposed Plan** to clean up soil contamination associated with the property formerly used by the Omega Chemical Corporation (Omega).

The 30-day public comment period will begin on June 9, 2008 and end on July 10, 2008. On June 24th, the EPA will hold a public meeting to present the Proposed Plan, answer questions and receive public comments. In the box to the right, you will find the time and place for the public meeting, as well as information on how the public can submit comments in writing.

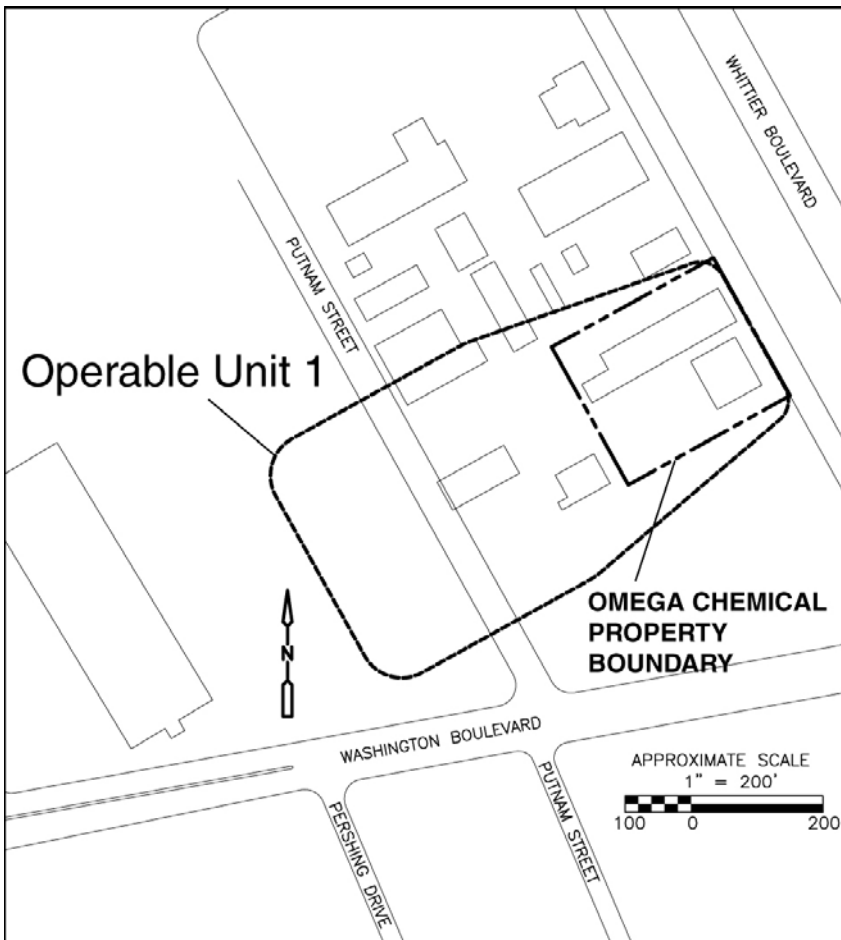


Figure 1: Location of Operable Unit 1 at the Omega site

Comment Period

The EPA encourages the public to comment on this proposed soil cleanup action at the Omega Chemical Superfund site. The comment period is June 9, 2008 through July 10, 2008. You can comment in person at the public meeting or in writing to the remedial project manager. Please send comments, post-marked no later than July 10, 2008, by mail, fax, or email to:

Christopher Lichens
Remedial Project Manager
US EPA Region 9, SFD-7-4
75 Hawthorne Street
San Francisco, CA 94105
Direct Line: (415) 972-3149
Fax Number: (415) 947-3528
Email: lichens.christopher@epa.gov

Public Meeting

June 24, 2008
7:00 PM to 9:00 PM

Whittier Community Center
7630 Washington Avenue
Whittier, California 90602
(562) 464-3439

This fact sheet summarizes the EPA's preferred cleanup alternative and the other alternatives that were evaluated. All of the alternatives are described in more detail in the May 2008 **Feasibility Study Report (FS)**. The California EPA Department of Toxic Substances Control (DTSC), the lead state agency for the Omega site, also reviewed the FS and concurs with EPA's preferred alternative. The public can review the FS and other site documents at the Site's **information repositories** or online at www.epa.gov/region09/OmegaChemical.

Estimado residente: Si prefiere este folleto en español, por favor llame 1-800-231-3075 y deje su nombre y domicilio. Se lo enviaremos inmediatamente.

* Words in "**bold**" are defined in the Glossary at the end of this fact sheet.

Introduction

Omega was a solvent and refrigerant recycler that operated from approximately 1976 to 1991. Drums and bulk loads of waste solvents and other chemicals from various industrial activities were processed at Omega to form commercial products. As a result of spills and leaks, the soil and groundwater beneath the Omega property became contaminated. In 1995 a group of PRPs, later known as the Omega Chemical Site PRP Organized Group (OPOG), performed the removal of approximately 2700 drums under EPA oversight.

To better handle large site cleanups, EPA often separates the cleanup actions into parts called Operable Units. At the Omega Chemical Superfund site, Operable Unit One (OU-1) includes soil and groundwater contamination on and near the former Omega property (see Figure 1). In 2001, the EPA signed a settlement agreement called a **Consent Decree (CD)** with the OPOG to investigate soil and groundwater contamination within OU-1.

With EPA oversight OPOG completed a **remedial investigation (RI)** for soils in November 2007 which evaluated the nature and extent of soil and soil vapor contamination associated with the Omega Site. The FS, completed in May 2008, describes potential soil cleanup alternatives and includes a detailed analysis of these alternatives. EPA's preferred cleanup alternative, described in this fact sheet, was selected based on the results of the FS.

The CD also specifies that OPOG will implement an interim groundwater remedy to contain the existing contaminated groundwater within OU-1. Construction of the groundwater treatment system is underway and is expected to be complete in late 2008.

Operable Unit Two (OU-2) consists of the groundwater contamination that has migrated downgradient (southwest) of OU-1. The EPA is near completion of the OU-2 RI, which will be released for public review in mid 2008. The OU-2 FS is expected to be complete in late 2008 or early 2009.

Contaminants of Concern

The primary **contaminants of concern (COCs)** at the Omega site are **volatile organic compounds (VOCs)**, meaning that they evaporate readily in air. Less volatile or semi-volatile organic compounds (SVOCs), including 1,4-dioxane are also present at the Omega site. The primary VOCs of concern are tetrachloroethene (PCE), trichloroethene (TCE), and 1,1-dichloroethene (1,1-DCE). PCE and TCE are sol-

vents that have been widely used by industry as cleaning and degreasing agents. 1,1-DCE is not commonly used in commercial products but can be formed when other VOCs degrade. Another group of VOCs, Freons, are also contaminants at the Omega site. Freons are used as coolants and pressurizers in spray can products.

Remedial Investigation Results

The RI found that high concentrations of VOCs are present in soil and soil vapor on the former Omega property and extend to adjacent parcels, with PCE generally present at the highest levels. High concentrations of 1,4-dioxane are also present in the soil. The contamination continues, but decreases laterally, to the south and southwest. The highest soil vapor concentrations are present near the ground surface.







Other contaminants are also present in the soil. These include various metals, polychlorinated biphenyls (PCBs) and poly-nuclear aromatic hydrocarbons (PAHs). Based on the available data, these contaminants present a long-term risk that is within acceptable limits for residential use of the property, and therefore EPA is not proposing a cleanup plan for those contaminants.

Summary of OU-1 Risks from Contaminated Soil

The OU-1 property is currently used for commercial/industrial purposes. However, the zoning plan allows for residential use. Consequently the **human health risk assessment (HHRA)**, completed by OPOG as part of the RI, evaluated existing commercial exposure scenarios as well as possible future residential scenarios.

The HHRA identified several possible ways that people might be exposed to OU-1 soil contamination. These "pathways" for exposure include direct contact with contaminated soil (through dermal contact or ingestion) and inhalation of soil vapors. Inhalation of soil vapor that has migrated into buildings (**vapor intrusion**) represents the most significant risk. Vapor intrusion has been documented in several buildings within the OU-1 area, although there is no short-term risk to workers based on the data collected. Because the OU-1 area is largely paved, direct contact is not considered to be a current risk with the exception of construction workers. EPA also conducted a screening evaluation of possible ecological risks in the OU-1 area and found that because the area is largely paved and contamination is below the ground surface, there are no significant ecological risks.

EPA's Nine Evaluation Criteria For Superfund Remedial Alternatives

- 1 **Overall Protectiveness of Human Health and the Environment** determines whether an alternative eliminates, reduces, or controls threats to public health and the environment through institutional controls, engineering controls, or treatment.
- 2 **Compliance with Applicable or Relevant and Appropriate Requirements (ARARs)** evaluates whether the alternative meets Federal and State environmental statutes, regulations, and other requirements that pertain to the site, or whether a waiver is justified. 
- 3 **Long-term Effectiveness and Permanence** considers the ability of an alternative to maintain protection of human health and the environment.
- 4 **Reduction of Toxicity, Mobility, or Volume of Contaminants through Treatment** evaluates an alternative's use of treatment to reduce the harmful effects of principal contaminants, their ability to move in the environment, and the amount of contamination present. 
- 5 **Short-term Effectiveness** considers the length of time needed to implement an alternative and the risks the alternative poses to workers, residents, and the environment during implementation. 
- 6 **Implementability** considers the technical and administrative feasibility of implementing the alternative, including factors such as the relative availability of goods and services.
- 7 **Cost** includes estimated capital and annual operations and maintenance costs, which are expressed in terms of present worth. Present worth cost is the total cost of an alternative over time in terms of today's dollar value. Cost estimates are expected to be accurate within a range of +50 to -30 percent. 
- 8 **State Acceptance** considers whether the State agrees with the EPA's analyses and recommendations, as described in the RI/FS and Proposed Plan. 
- 9 **Community Acceptance** considers whether the local community agrees with EPA's analyses and preferred alternative. Comments received on the Proposed Plan are an important indicator of community acceptance. 

**Final
Remedy**

Scope and Objectives of this Proposed Action

This Proposed Plan presents EPA's preferred alternative for the soil cleanup in OU-1. There are three primary goals, or **Remedial Action Objectives (RAOs)**, which are based on cleaning up the site to allow for residential use of the property. The RAOs are as follows:

- \$ Reduce or eliminate the vapor intrusion risk associated with VOC vapors in contaminated soils.
- \$ Reduce or eliminate the risk associated with direct exposure to, contact with and/or ingestion of contaminated soils.
- \$ Reduce or eliminate contaminant migration to groundwater to levels that protect the groundwater resource.

The purpose of this Proposed Plan is to summarize the alternatives considered in the FS and to present EPA's preferred alternative so that the public can provide comments on EPA's proposed soil cleanup plan. The Proposed Plan and the FS report are both included in the **Administrative Record** file, located in the information repositories (see page 6). At the end of the public comment period, EPA will review the comments and make a final decision on the cleanup plan. The EPA will memorialize its remedy selection in a **Record of Decision (ROD)** that will include a responsiveness summary addressing comments submitted by the public. The ROD will be placed in the information repositories, and notice of its availability will be announced in the local newspaper.

Cleanup Evaluation Criteria

Using data and other information gathered through the investigation of the Omega site, remedial action alternatives were identified to achieve the RAOs described above for OU-1. The alternatives were then evaluated against the EPA's nine evaluation criteria (see Figure 2). The first two are considered "threshold criteria" because any alternative selected as the remedy must meet these criteria. The last criterion, community acceptance, will be evaluated after EPA conducts the public meeting and receives comments on its preferred alternative.

Figure 2: EPA's Nine Evaluation Criteria

Alternatives Evaluated

1. **No Action:** EPA is required to evaluate the No Action alternative under the **National Oil and Hazardous Substances Pollution Contingency Plan (NCP)**. This alternative establishes a baseline against which other alternatives can be compared. The No Action alternative would allow the OU-1 contamination to remain in place with no remedial actions being implemented.
2. **Soil Vapor Extraction/Institutional Controls (EPA's Preferred Alternative):** Under this alternative, **soil vapor extraction (SVE)** would be conducted to remove contaminated vapors from below the ground surface (see Figure 3). Contingencies for increasing the effectiveness of SVE, including hot air injection and dual-phase extraction (DPE), would also be implemented if necessary to meet the cleanup goals. The SVE component would include installation and operation of extraction wells, which remove contaminated soil vapor and pipe it to a treatment system proposed to be located on the former Skateland property. Soil vapors would be treated by passing them through Granular Activated Carbon (GAC) to remove contaminants so that the treated air meets the limits specified by the South Coast Air Quality Management District (AQMD) before being released to the atmosphere.

SVE wells would be installed on the former Omega and Skateland properties, and the adjacent Terra Pave property to the southwest (see Figure 4). The actual number and locations of these wells may change during design of the cleanup. Hot air injection and/or DPE would be used if the cleanup goals are not achieved through SVE alone. Hot air increases the effectiveness of SVE by causing additional vapors to be released from the soil. DPE consists of simultaneous soil vapor and groundwater extraction and would be used if sampling data indicate that vapors coming from the groundwater are causing soil vapor concentrations to exceed the cleanup goals. Water generated from DPE would be pumped to the groundwater treatment system on the former Skateland property that is part of the interim groundwater remedy.

Institutional Controls (ICs) to maintain paved areas and to place restrictions on excavation in some areas during operation of the SVE system would also be part of this alternative. The estimated total cost to implement this alternative is \$5.6 million (present worth),

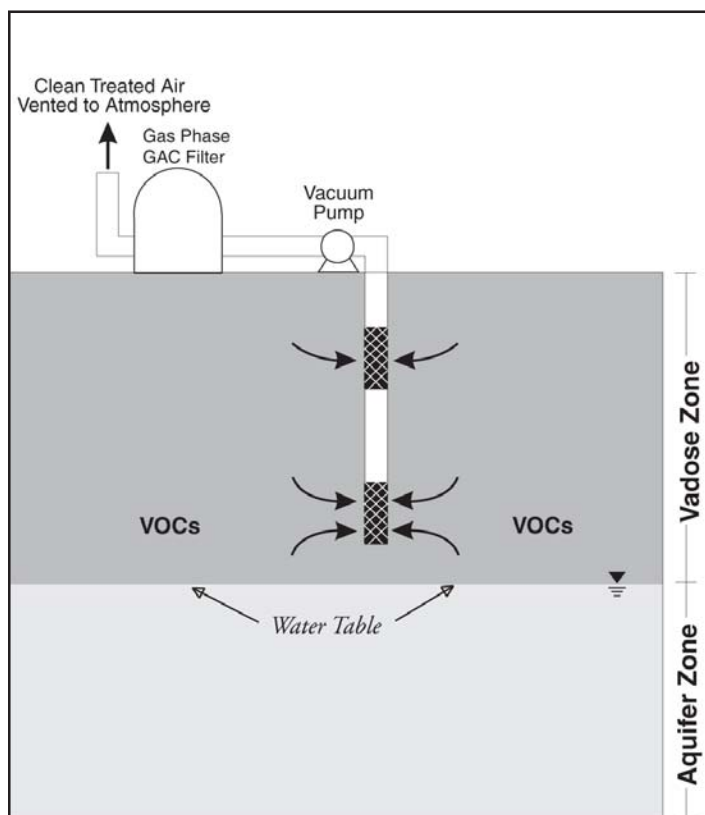


Figure 3: Components of SVE System

including \$2.1 million in capital costs and \$3.5 million in operation and maintenance costs (present worth). The estimated additional costs for hot air injection and DPE are \$0.9 million and \$2.9 million, respectively. The estimated time of operation for this alternative is five years.

3. **Hot Spot Excavation/SVE/ICs:** This alternative includes all the components in Alternative 2 as well as excavation of the most contaminated soil, which has the advantage of removing the risk from these soils immediately. Excavation would occur on the former Omega property in a 5000-square-foot area south and west of the building housing Star City Auto Body. The excavation would include removal and replacement of all existing pavement in this area. Excavated soil would be transported to an off-site landfill for treatment and subsequent disposal. The excavated area would be back-filled with clean soil. The estimated total cost to implement this alternative is \$8.6 million (present worth), including \$5.1 million in capital costs and \$3.5 million

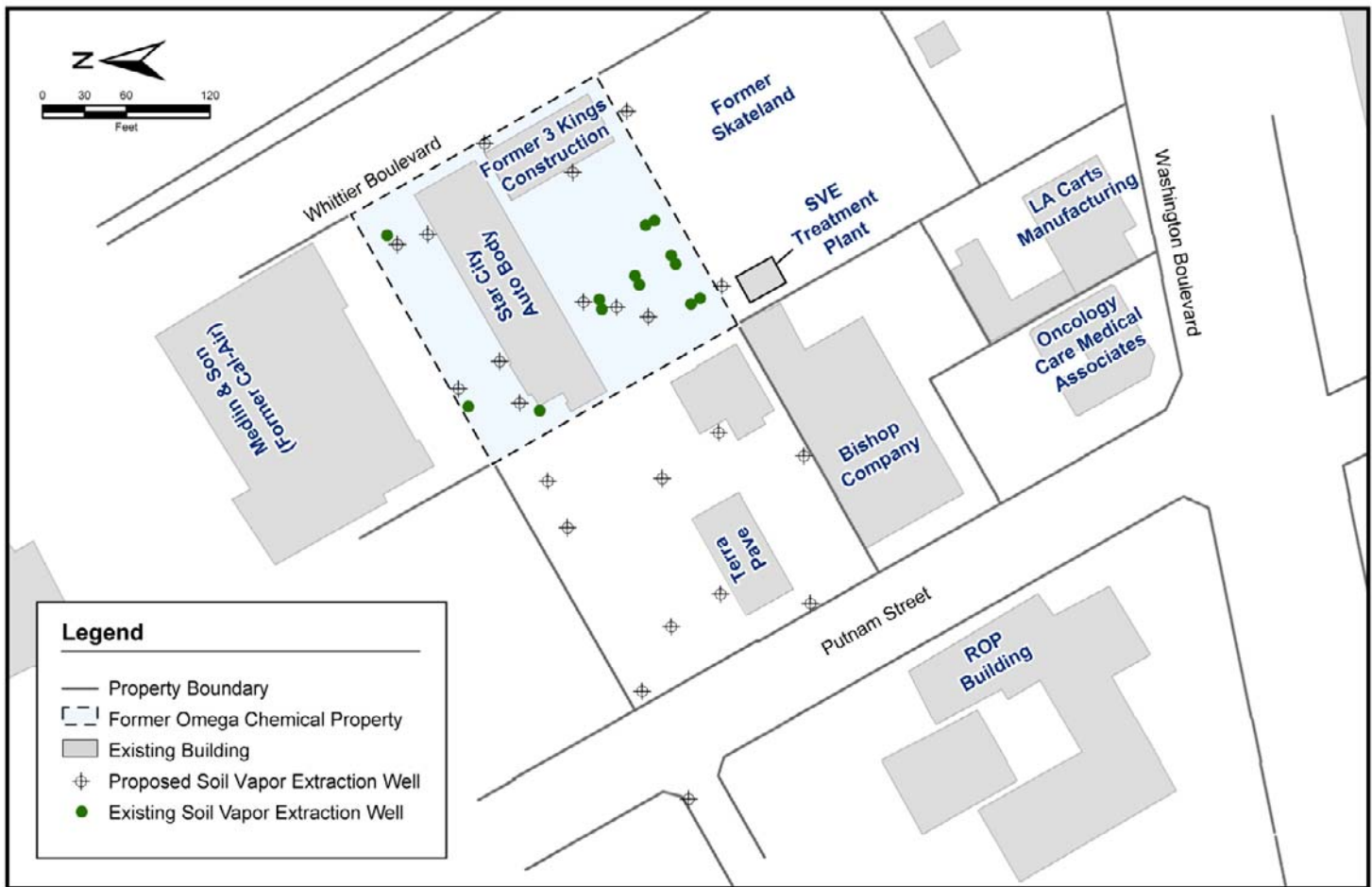


Figure 4: Soil Vapor Extraction Well Locations

in operation and maintenance costs (present worth). The estimated additional costs for hot air injection and DPE are \$0.9 million and \$2.9 million, respectively. The estimated time of operation for this alternative is five years.

- Thermally-Enhanced SVE/ICs:** This alternative includes the components in Alternative 2, although SVE would be thermally enhanced by electrical resistive heating (ERH). ERH increases the effectiveness of SVE by increasing the temperature of contaminated soils, therefore removing more VOC contaminant vapors in a shorter period of time. The estimated total cost to implement this alternative is \$16 million (present worth), including \$9.5 million in capital costs and \$6.5 million in operation and maintenance costs (present worth). The estimated time of operation for this alternative is one year.

Comparative Analysis of Alternatives

Table 1 summarizes the comparative analysis of alternatives. Each alternative is compared to the other three and rated “low”, “medium”, or “high” with respect to the criteria previously discussed. A high rating is most favorable and a low rating is least favorable. Rather than rating costs, the estimated costs for each alternative are presented.

Alternatives 2, 3, and 4 each received a high rating for the threshold criteria of “Overall Protection of Human Health and the Environment” and “Compliance with ARARs”. Alternative 1 would not meet these criteria and therefore received “low” ratings on each.

Alternatives 2, 3, and 4 received moderate or high ratings for each of the primary modifying criteria, but have increasingly higher estimated costs. Alternative 1 was rated “low” on all

Alternative	Description	Overall Protection of Human Health and the Environment	Compliance with ARARs	Long-term Effectiveness and Permanence	Reduction of Toxicity, Mobility, or Volume through Treatment	Short-term Effectiveness	Implementability	Cost (\$ millions)
1	No Action	Low	Low	Low	Low	Low	High	\$0
2	SVE & ICs 5 years O&M	High	High	Moderate	High	Moderate	High	Capital \$2.1 O&M \$3.5 Total Cost \$5.6 Hot air \$0.9 DPE \$2.9
3	Hot Spot Excavation, SVE & ICs 5 years O&M	High	High	Moderate	High	Moderate	Moderate	Capital \$5.1 O&M \$3.5 Total Cost \$8.6 Hot air injection \$0.9 DPE \$2.9
4	Thermally-Enhanced SVE & ICs 1 year O&M	High	High	High	High	High	Moderate	Capital \$9.5 O&M \$6.5 Total Cost \$16.0

Table 1: Comparative Analysis of Alternatives

criteria other than implementability, and it has the lowest cost. Alternative 3 would achieve immediate reduction of the highest levels of soil contamination and Alternative 4 would reduce residual contamination to the lowest levels, but both are more difficult to implement and more expensive than Alternative 2. Alternatives 2, 3 and 4 are each expected to achieve the cleanup goals.

Alternative 2 is EPA's preferred alternative because it received "moderate" or "high" ratings for each criterion, and can be implemented with the least disruption to the occupants of the former Omega property. Alternative 2 will also achieve the RAOs at a lower cost than the other alternatives.

Next Steps

The public comment period on this Proposed Plan will continue until July 10, 2008. After EPA evaluates all public comments and issues the ROD, it will negotiate a new agreement with the PRPs for implementation of the cleanup. Design and construction of the treatment system is expected to begin in 2009.

Technical Assistance Program

A Technical Assistance Grant (TAG) is available for citizens who live near a Superfund site. The grant helps qualified citizen groups affected by a Superfund site to hire an independent technical advisor to help interpret and comment on site-related information. An initial grant of up to \$50,000 is available. For further information about the grant, please call us and request an application (toll free 800-231-3075) or go to <http://www.epa.gov/superfund/community/tag/resource.htm>.

Site Information Repositories

EPA maintains site information repositories at the Whittier Public Library and at the EPA Superfund Records Center. These repositories contain project documents, fact sheets, and reference materials. EPA encourages you to review these documents to gain a more complete understanding of the site. The information repositories' locations are listed below. EPA also has a site information web page at www.epa.gov/region09/OmegaChemical.

U.S. EPA Superfund Records Center

95 Hawthorne Street
San Francisco, CA 94105
(415) 536-2000

Hours: 8:30 AM-4:00 PM

Whittier Public Library

7344 S. Washington Avenue
Whittier, CA 90602
(562) 464-3450

Hours: Mon. - Wed. 10:00 AM-9:00 PM
Tues. - Thurs. 10:00 AM- 6:00 PM
Sat. 10:00 AM-5:00 PM



Glossary of Terms

Administrative Record: The supporting documents that EPA relies on to implement a remedial action.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA): A federal law first passed in 1980 and subsequently amended that created a trust fund, known as Superfund, to investigate and clean up abandoned or uncontrolled hazardous waste sites.

Consent Decree: A legal document approved and issued by a judge that formalizes an agreement reached between EPA and potentially responsible parties where they perform all or part of a site cleanup.

Contaminants of Concern: Site-specific chemicals that exceed regulatory levels or pose a potentially significant risk to human health and the environment.

Feasibility Study: A study that determines the best way to clean up environmental contamination.

Groundwater: The supply of water found below the ground surface, usually in aquifers.

Human Health Risk Assessment: Qualitative and quantitative evaluation of the risk posed to human health by the specific pollutants found at the site.

Information Repository: A location accessible to community members (such as a local library) that houses documents, reports and other site-related information, general information about Superfund, newspaper notices and the Administrative Record for the site. EPA also maintains an information repository for all Superfund sites at its offices in San Francisco.

Institutional Controls: Land use restrictions and other non-engineering controls that prevent or limit exposure to contamination.

National Oil and Hazardous Substances Pollution Contingency Plan (NCP): Provides the organizational structure and procedures for preparing for and responding to discharges of oil and releases of hazardous substances.

Proposed Plan: A document that summarizes the cleanup alternatives evaluated as part of the Feasibility Study process and identifies the preferred cleanup alternative.

Remedial Action Objectives: The cleanup goals established by EPA when implementing a remedial action.

Remedial Investigation: The CERCLA process of determining the type and extent of hazardous material contamination at a site.

Record of Decision: The document that formalizes EPA's decision to implement a specific remedial action.

Soil Vapor Extraction: A technology that removes contaminants from the subsurface by extracting and treating contaminant vapors.

Superfund: The common name for the process established by CERCLA to investigate and clean up abandoned or uncontrolled hazardous waste sites.

Vapor Intrusion: The process by which contaminant vapors in the soil and/or groundwater migrate through subsurface soils and enter overlying buildings.

Volatile Organic Compounds: Carbon-containing chemical compounds that evaporate readily at room temperature.

U.S. EPA Contacts

Jackie Lane
Community Involvement Coordinator
U.S. EPA Region 9 (SFD-3)
Direct Line (415) 972-3236
lane.jackie@epa.gov

Christopher Lichens
Remedial Project Manager
U.S. EPA Region 9 (SFD-7-4)
Direct Line (415) 972-3149
lichens.christopher@epa.gov



You may also call the toll-free message line
at 800-231-3075. Your call will be returned.



Omega Chemical Superfund Site

Proposed Plan for Soil Cleanup

Estimado residente: Si prefiere este folleto en español,
por favor llame 1-800-231-3075 y deje su nombre y domicilio.
Se lo enviaremos inmediatamente.

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Region 9
75 Hawthorne Street (SFD-3)
San Francisco, CA 94105
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Office of Enforcement and Compliance Assurance **INFORMATION SHEET**

U. S. EPA Small Business Resources

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance resources such as workshops, training sessions, hotlines, websites, and guides to assist you in complying with federal and state environmental laws. These resources can help you understand your environmental obligations, improve compliance, and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

Compliance Assistance Centers

(www.assistancecenters.net)

In partnership with industry, universities, and other federal and state agencies, EPA has established Compliance Assistance Centers that provide information targeted to industries with many small businesses.

Agriculture

(www.epa.gov/agriculture or 1-888-663-2155)

Automotive Recycling Industry

(www.ecarcenter.org)

Automotive Service and Repair

(www.ccar-greenlink.org or 1-888-GRN-LINK)

Chemical Industry

(www.chemalliance.org)

Construction Industry

(www.cicacenter.org or 1-734-995-4911)

Education

(www.campuserc.org)

Healthcare Industry

(www.hercenter.org or 1-734-995-4911)

Metal Finishing

(www.nmfrc.org or 1-734-995-4911)

Paints and Coatings

(www.paintcenter.org or 1-734-995-4911)

Printed Wiring Board Manufacturing

(www.pwbrc.org or 1-734-995-4911)

Printing

(www.pneac.org or 1-888-USPNEAC)

Transportation Industry

(www.transource.org)

Tribal Governments and Indian Country

(www.epa.gov/tribal/compliance or 202--564-2516)

US Border Environmental Issues

(www.bordercenter.org or 1-734-995-4911)

The Centers also provide State Resource Locators (www.envcap.org/statetools/index.cfm) for a wide range of topics to help you find important environmental compliance information specific to your state.

EPA Websites

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. If you don't have access to the Internet at your business, many public libraries provide access to the Internet at minimal or no cost.

EPA's Home Page

www.epa.gov

Small Business Gateway

www.epa.gov/smallbusiness

Compliance Assistance Home Page

www.epa.gov/compliance/assistance

Office of Enforcement and Compliance Assurance

www.epa.gov/compliance

Voluntary Partnership Programs

www.epa.gov/partners



U.S. EPA SMALL BUSINESS RESOURCES

Hotlines, Helplines & Clearinghouses

(www.epa.gov/epahome/hotline.htm)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. A few examples are listed below:

Clean Air Technology Center

(www.epa.gov/ttn/catc or 1-919-541-0800)

Emergency Planning and Community Right-To-Know Act

(www.epa.gov/superfund/resources/infocenter/epcra.htm or 1-800-424-9346)

EPA's Small Business Ombudsman Hotline provides regulatory and technical assistance information.
(www.epa.gov/sbo or 1-800-368-5888)

The National Environmental Compliance Assistance Clearinghouse provides quick access to compliance assistance tools, contacts, and planned activities from the U.S. EPA, states, and other compliance assistance providers
(www.epa.gov/clearinghouse)

National Response Center to report oil and hazardous substance spills.
(www.nrc.uscg.mil or 1-800-424-8802)

Pollution Prevention Information Clearinghouse
(www.epa.gov/opptintr/ppic or 1-202-566-0799)

Safe Drinking Water Hotline
(www.epa.gov/safewater/hotline/index.html or 1-800-426-4791)

Stratospheric Ozone Refrigerants Information
(www.epa.gov/ozone or 1-800-296-1996)

Toxics Assistance Information Service also includes asbestos inquiries.
(1-202-554-1404)

Wetlands Helpline
(www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828)

State Agencies

Many state agencies have established compliance assistance programs that provide on-site and other types of assistance. Contact your local state environmental agency for more information or the following two resources:

EPA's Small Business Ombudsman
(www.epa.gov/sbo or 1-800-368-5888)

Small Business Environmental Homepage
(www.smallbiz-enviroweb.org or 1-724-452-4722)

Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated,

businesses may be eligible for penalty waivers or reductions. EPA has two policies that potentially apply to small businesses:

The Small Business Compliance Policy

(www.epa.gov/compliance/incentives/smallbusiness)

Audit Policy

(www.epa.gov/compliance/incentives/auditing)

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established an SBA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System (NAICS) designation, number of employees, or annual receipts, defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit comments to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.

PRIMARY CONTACT DESIGNATION FORM

Burke Street LLC

PLEASE COMPLETE AND RETURN THIS FORM WITHIN THIRTY CALENDAR DAYS OF RECEIPT

Please complete this form by printing or typing the requested information. If any of the information provided on this form changes after submission of the form including, but not limited to, changes in corporate relationships, please notify EPA at the address listed below as soon as possible. Thank you for your cooperation.

1. Please provide the following information for the single person who will be the above-named company's or individual's contact for all future communications (including correspondence, informational mailings, etc.) from EPA regarding Omega. You may designate a legal or other representative as the single primary contact. Please enter "N/A" if the requested information is not applicable to you.

Company/Organization/Individual Name: (only if different from above):	
Name of Designated Contact :	Contact's Title:
Contact's Firm Name:	
Street Address (no P.O. Box):	
City, State & Zip:	
Telephone Number:	Fax Number:
E-mail Address:	
Web-site Address:	
2. Other information: Law/Consulting Firm Name (if applicable):	

3. Printed Name and Signature of Person Completing This Form

Printed Name	Title	Company/Organization
<hr/>		
Signature	Date	

4. Please return this form to:

Linda Ketellapper, Case Developer
Mail Code SFD-7-5
U.S. Environmental Protection Agency
75 Hawthorne St.
San Francisco, CA 94105



FedEx Express
Customer Support Trace
3875 Airways Boulevard
Module H, 4th Floor
Memphis, TN 38116

U.S. Mail: PO Box 727
Memphis, TN 38194-4643
Telephone: 901-369-3600

February 26, 2009

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Signed for by:	M.RIOS		
Service type:	Standard Envelope		



Shipping Information:

Tracking number:	860499466226	Ship date:	Feb 24, 2009
		Weight:	0.5 lbs.

Recipient:
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Shipper:
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06-5026-01-4525-600

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